

**UNITED STATES DISCTRRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO

as representative of

THE COMMONWEALTH OF PUERTO RICO,
et al.,

Debtors

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**OPPOSITION TO TWENTY-FOURTH OMNIBUS OBJECTION OF THE
COMMONWEALTH OF PUERTO RICO TO EXACT DUPLICATE CLAIMS
PROOF OF CLAIM NUMBER 4315**

Comes now Mr. José A. Díaz Marcano (“Díaz Marcano”), by and through his legal representative, and very respectfully states and prays, as follows:

1. On April 9, 2018 Díaz Marcano presented two separate proofs of claim (claim number 4315 and 5650) regarding two different actions he has against the Commonwealth of Puerto Rico (“Commonwealth”) on his behalf and in representation of his two minor children.
2. On April 15, 2019, The Commonwealth, by and through the Financial Oversight and Management Board for Puerto Rico (“Oversight Board”), filed an omnibus objection to five hundred alleged exact duplicate proofs of claim. With this omnibus objection, the Commonwealth was seeking to disallow the proofs of claims listed on Exhibit A of said document. One of the proofs of claim listed on this omnibus objection (claim number 4315) belongs to Díaz Marcano.
3. The Commonwealth argues in its omnibus objections that the holders of the Claims to Be Disallowed will not be prejudiced by the disallowance of their claims because they

will each retain a Remaining Claim against the Commonwealth. However, that is not Díaz Marcano's case, given that the two proofs of claims that he presented constitute two different and separate actions that he has against the Commonwealth on his behalf and in representation of his two minor children.

4. These actions have different plaintiffs, which include Díaz Marcano and his wife, and their minor children. In particular, one claim is based on the Commonwealth's failure to comply with the provision of special education services to Díaz Marcano's minor child G.D.R., and the other claim is based on the Commonwealth's failure to comply with the provision of special education services to his other minor child G.J.D.R.

5. Please note that the documents that were attached with each proof of claim show that each claim is different and on behalf of two different minors, which is why they have different case numbers (353764750098507479 and 353499495098402771) Exhibit 1 and Exhibit 2. Additionally, in one of the documents presented with the proof of claim (titled "Reclamación"), one can see that each of the children's birth year (2009 and 2006) and their registry numbers (00245428 and 00186653) are different, Exhibit 3 and Exhibit 4. Lastly, the details of each case (included in the section titled "Breve Relato" of the document) are different.

6. As stated before, each proof of claim presented by Díaz Marcano is a different action he has against the Commonwealth on his behalf and in representation of his two minor children. Therefore, they are not exact duplicates and should not be disallowed.

WHEREFORE, Díaz Marcano respectfully requests the Court to deny the Commonwealth's relief request in relation to his proof of claim 4315.

Respectfully submitted.

It is hereby certified that on this date, the foregoing has been electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to counsel of record.

At San Juan, Puerto Rico, this June 10, 2019.

s/Luis E. Palou Balsa

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